

Leon, General Don Raul Madero, Governor of the State of Coahuila, and Sr. Licenciado Don Juan Jose Torres Landa, Governor of the State of Guanajuato in giving their time and effort to attend the Washington Birthday Celebration in Laredo, Texas, on February 22, 1963, and again expresses for the people of the State of Texas the sincere and warm hope and desire for continuing better and more perfect understanding and appreciation between our countries.

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented representatives of the Washington Birthday Association to the Members of the Senate.

#### Welcome Resolutions

S. R. No. 109—By Senator Aikin: Extending welcome to Dr. C. C. Clark and Mark L. Hodges of Paris.

S. R. No. 110—By Senator Word: Extending welcome to R. B. Johnson of Valley Mills.

S. R. No. 111—By Senator Watson: Extending welcome to Otis Gardner et al.

S. R. No. 112—By Senator Harrington: Extending welcome to Mrs. Jewell Parker and Mrs. Rosemary Dorgan.

S. R. No. 115—By Senator Word: Extending welcome to Richard Tuck of Waxahachie.

#### Adjournment

On motion of Senator Moffett the Senate at 12:03 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### TWENTY-FIRST DAY

(Tuesday, February 12, 1963)

The Senate met at 10:30 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Crump
Bates	Dies
Blanchard	Hardeman
Colson	Herring

Kazen	Ratliff
Krueger	Reagan
Moffett	Richter
Moore	Schwartz
Parkhouse	Strong
Patman	Word

#### Absent

Calhoun	Kennard
Cole	Owen
Creighton	Rogers
Hall	Spears
Harrington	Watson
Hazlewood	

The President announced that there was not a quorum of the Senate present.

#### Adjournment

On motion of Senator Hardeman the Senate at 10:33 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### Record of Votes

Senators Patman and Reagan asked to be recorded as voting "Nay" on the motion to adjourn.

#### TWENTY-SECOND DAY

(Wednesday, February 13, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following senators were present:

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word
Krueger	

#### Absent—Excused

Hall	Herring
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the preceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Herring was granted leave of absence for today on account of illness on motion of Senator Krueger.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 45, A bill to be entitled "An Act amending Section (a) and repealing the first paragraph of Section (b) of Article 6686 of the Revised Civil Statutes of Texas, 1925, as amended, relating to dealer's and manufacturer's license plates for their un-registered motor vehicles, motorcycles, house trailers, trailers, or semi-trailers; defining the terms 'dealer' and 'manufacturer'; limiting the use of manufacturer's test plates to new vehicles; providing for dealers to issue dated cardboard tags to buyers; specifying a validity time period for each buyer's tag so issued; providing for the form, color, and specifications of such buyer's cardboard tag to be prescribed by the Department; prohibiting the issuance of successive buyer's cardboard tags for same vehicle; placing the responsibility for the safe-keeping and for the distribution of all cardboard tags; placing the responsibility for showing certain information in ink on the buyer's cardboard tag; providing for the issuance of dealer's cardboard tags for the operation of unregistered vehicles owned by such dealers; providing for the form, color, and specifications of such dealer's tag to be prescribed by the Department; exempting certain vehicles from inspection; specifying the Department's authority to cancel dealer's or manufacturer's license

plates for just cause; providing for dealers and manufacturers to submit upon demand certain pertinent information; providing under certain conditions for the surrender of dealer's and manufacturer's license plates including all facsimile cardboard tags thereof; prohibiting the use of dealer's or manufacturer's license plates on certain vehicles and providing an exemption thereto; providing for applications for dealer's and manufacturer's license plates and specifying the fees therefor; authorizing the Department to examine certain papers relative to all vehicles owned or controlled by dealers; defining the terms 'vehicle' and 'Department'; specifying that out of state license plates must be immediately removed from vehicles purchased by dealers; authorizing the promulgation of reasonable rules and regulations; providing for dealers and manufacturers to notify the Department within ten (10) days of a change of address; providing for the display of dealer's license plates; prohibiting the unauthorized production of cardboard tags; providing for a penalty; repealing laws in conflict; and providing for severability."

The House has concurred in Senate amendments to House Bill No. 30 by vote of 145 ayes, 0 noes.

H. B. No. 168, A bill to be entitled "An Act amending Section 4a of Chapter 119, Acts of the Fifty-third Legislature, Regular Session, 1953, as amended, relating to fishing in Laguna Madre in Cameron County; and declaring an emergency."

H. B. No. 310, A bill to be entitled "An Act amending Chapter 416, Acts of the 50th Legislature, 1947, by adding a new section to be numbered Section 1A, providing for the taking of certain fish from the waters of Val Verde County; and declaring an emergency."

H. B. No. 351, A bill to be entitled "An Act changing the name of the South Texas Medical School created by Chapter 129, page 219, Acts, 56th Legislature, 1959, Regular Session (Art. 2606c, V.C.S., to 'The University of Texas South Texas Medical School'; providing that all appropriations heretofore or hereafter made by the Legislature shall be available for the use and benefit of the institution whose name is changed; ratifying, confirming, and validating all con-

tracts, bonds, notes, or other debentures heretofore or hereafter issued on behalf of the South Texas Medical School; and declaring an emergency."

H. B. No. 229, A bill to be entitled "An Act making it a felony to make, mend, or cause to be made or mended or to have in possession under circumstances evincing an intent to use the same, implements adapted, designed, or commonly used in the commission of burglary, safe-cracking, and other crimes; providing a penalty and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions.

H. B. No. 30, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Port Mansfield Public Utility District'; etc., and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than three hundred thousand (300,000) nor more than three hundred and fifty thousand (350,000); etc., and declaring an emergency."

H. C. R. No. 13, Commending Chief J. A. Stahl, Fireman Ken Briggs, Fireman Malcolm Coker, and Fireman Arthur Centeno for their devotion to duty and for their unselfish heroism.

H. C. R. No. 14, Congratulating The Progressive Farmer for its choice of Mrs. Mabel Claire Thomas as "Texas Woman of the Year."

#### Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Jurispru-

dence, to which was referred S. B. No. 242, have had the same under consideration, and we are instructed to report back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 238, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 28, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 125, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Ratliff submitted the following reports:

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Insurance to whom was referred S. B. No. 72, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 194, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Parkhouse submitted the following reports:

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: your committee on Water and Conservation, to whom was referred H. B. No. 7, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 229, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Moffett submitted the following report:

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to whom was referred H. B. 64, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

MOFFETT, Chairman.

Senator Hazlewood submitted the following report:

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Finance, to whom was referred S. B. No. 155, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Rogers submitted the following reports:

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 7, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

ROGERS, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 10, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 21, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on State Affairs to whom was referred S. B. No. 189, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred S. B. No. 211, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
February 12, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 198, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Dies submitted the following reports:

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 60, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 99, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties,

Cities and Towns, to whom was referred S. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 127, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 139, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 170, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 208, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 231, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to whom was referred S. B. No. 241, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
February 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 246, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

#### House Bills on First Reading

The following bills received from the House were read the first time and referred to the Committees indicated:

H. B. No. 45, To the Committee on Transportation.

H. B. No. 168, To the Committee on Game and Fish.

H. B. No. 229, To the Committee on Jurisprudence.

H. B. No. 310, To the Committee on Game and Fish.

H. B. No. 351, To the Committee on State Affairs.

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 268, A bill to be entitled "An Act amending Section 2 of Chap-

ter 99, Acts of the 51st Legislature, 1949, relating to service and age requirements for retirement of judges (compiled as Section 2 of Article 6228b, Title 109, Vernon's Texas Civil Statutes), to provide that any person who has fifteen (15) years service on one or more courts of this state shall be qualified to receive retirement pay under this Act, after reaching age sixty-five, regardless of whether he is serving on a court at such time; providing that such retirement pay shall be based upon the annual salary paid to such judge during his last year of service; and declaring an emergency."

To the Committee on State Affairs.

By Senator Crump:

S. B. No. 269, A bill to be entitled "An Act changing the name and function of the 'Legion Branch of the San Antonio State Tuberculosis Hospital'; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Hardeman:

S. B. No. 270, A bill to be entitled "An Act to establish and adopt a Code of Criminal Procedure for the State of Texas by revising and rearranging the statutes of this State which pertain to the trial of criminal cases; and by making various changes in, omissions from, and additions to such statutes; defining the meaning of certain words and terms used in the Code; and fixing the effective date of the Code; validating certain proceedings had under existing and prior statutes; repealing statutes and all laws or parts of laws in conflict with the Code; containing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hazlewood for Senator Herring:

S. B. No. 271, A bill to be entitled "An Act amending Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, as amended (compiled as Article 6701d, Vernon's Texas Civil Statutes), and known as the 'Uniform Act Regulating Traffic on Highways,' by adding thereto a new article relating to speed of vehicles, rules of enforcement and admissibility of evidence; repealing Section 8 of Chapter 42, Acts of the 41st Legislature, Second Called Session, 1929,

as amended (compiled as Section 8 of Article 827a, Vernon's Penal Code of Texas); and declaring an emergency."

To the Committee on State Affairs.

By Senator Bates:

S. B. No. 272, A bill to be entitled "An Act providing that any district court may, in a case involving water rights to which the state or Texas Water Commission is a party, determine, cancel or declare inoperative, in whole or in part any claimed appropriate water rights of a party to such suit on petition of the state, Texas Water Commission or any party at interest in said suit, notwithstanding the fact that no administrative proceedings have been pursued, and that two (2) certified copies of the judgment, order or decree in said cause shall be filed by the clerk of the court with the Texas Water Commission who shall make the necessary changes in its records to conform to the final judgment, order or decree of said court."

To the Committee on Water and Conservation.

By Senator Harrington:

S. B. No. 273, A bill to be entitled "An Act revising the employers' liability and workmen's compensation insurance laws of this State by amending and adding to certain sections of Article 8306, Article 8307, and Article 8309, Revised Civil Statutes of 1925, as amended; amending Sections 2, 7, 7(c), 8, 10, 11, 12 and 20 of Article 8306, Revised Civil Statutes of 1925, as amended; providing for extending coverage of the laws to all employers doing business in this state, including public employees but exempting application of the law to employees of railways and railroads whose employees are otherwise covered by a similar federal compensation law; providing that the injured employee shall have the right to obtain medical aid from a physician of his choice at the cost and expense of his employer or the association and to receive from any person or organization selected by him hospital services, nurses, chiropractic services, and medicines as may be reasonably required if the employer or association fails or refuses to do so; fixing attorneys' fees in certain specified cases; fixing benefits payable for death, with limitations and providing to whom payable; fixing bene-

fits payable for total incapacity, with limitations; fixing benefits payable for partial incapacity and providing the method of computing compensation therefor, with limitations on amounts payable; fixing benefits payable for specific injuries and providing the method of computing compensation therefor, with limitations on amounts payable; redefining the term 'injury' or 'personal injury' so as to include occupational diseases, as defined; amending Section 4(a) of Article 8307, Revised Civil Statutes of 1925, as amended, so as to extend the period of time in which to file a claim for compensation to two years; amending Section 5 of Article 8309, Revised Civil Statutes of 1925, as amended, by deleting the existing contents of said section and substituting in lieu thereof prohibitions against discrimination of injured employees; specifically repealing Sections 7 (3), 21, 22, 23, 24, 25, 26, and 27 of Article 8306, by removing the limitation on cost or expense of artificial and prosthetic appliances and deleting the specified occupational diseases and provisions relating thereto; providing that this Act shall not affect any rights which have vested or accrued prior to the effective date hereof, and retaining prior laws in effect insofar as injuries sustained prior to the effective date hereof; providing a savings clause; repealing all laws in conflict; providing an effective date of this Act; and declaring an emergency."

To the Committee on Insurance.

By Senator Blanchard:

S. B. No. 274, A bill to be entitled "An Act amending the provisions of Senate Bill No. 236, known as the Insurance Code, Acts 1951, 52nd Legislature, Page 868, Chapter 491, as amended by adding thereto a new Article, designated as Article 21.48; defining and concerning mortgage lenders and borrowers; prohibiting certain practices relating to insurance of real property and escrow accounts; permitting certain exceptions thereto; providing a penalty for violation thereof; declaring a violation thereof to be a misdemeanor and assessing a fine; providing a saving clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Schwartz:

S. B. No. 275, A bill to be entitled "An Act providing for certain pre-

sumptions which shall rise from the amount of alcohol in the defendant's blood, at the time of the alleged offense as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance in any criminal prosecution for a violation of any law of this State relating to driving an automobile or other motor vehicle while intoxicated or while under the influence of intoxicating liquor; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 276, A bill to be entitled "An Act amending Section 17 of Chapter 107, Acts 41st Leg., 1929, as amended by Chapter 489, Section 17, Acts 56th Leg., 1959, requiring permits for stores, factories, wholesalers and distributors of drugs and medicines to be issued by the Texas State Board of Pharmacy; providing requirements for issuing permits; grounds for revoking, cancelling or suspending permits; setting certain fees; providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senator Schwartz:

S. B. No. 277, A bill to be entitled "An Act amending Section 195 of Senate Bill No. 97, Chapter 55, Acts of the Fifty-fourth Legislature, Regular Session, 1955, as amended, so as to add a new Subsection to Section 195 to be known as Subsection (c) to provide that no bond be required of guardians who are appointed to serve on behalf of persons for whom it is necessary to have a guardian appointed to receive Public Assistance funds due such person from any state or local governmental source; providing a repealing clause, a saving clause, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 278, A bill to be entitled "An Act relating to the establishment of a hospital district coterminous with the Sweeny Independent School District, and another coterminous with the West Columbia-Brazoria Independent School District, and the Damon Independent School District, except that land which formerly comprised the Brazoria School District prior to February 28, 1959, and being described herein by metes and

bounds; providing that subsequent to the organization of each hospital district the qualified electorate of each district may elect to consolidate the district; providing funding; administration; and procedure; repealing all laws in conflict therewith; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### House Bill 7 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent H. B. No. 7 was ordered not printed.

#### Senate Bill 110 Re-Committed

On motion of Senator Patman and by unanimous consent S. B. No. 110 was re-committed to the Committee on Banking.

#### Senate Bill 91 Re-Referred

On motion of Senator Bates and by unanimous consent S. B. No. 91 was withdrawn from the Committee on Finance and re-referred to the Committee on Counties, Cities and Towns.

#### Senate Joint Resolution 6 on Second Reading

Senator Hardman moved that Senate Rules 116 and 13, and Section 5 Article III of the State Constitution be suspended and that S. J. R. No. 6 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word
Krueger	

Absent—Excused

Hall	Herring
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The President laid before the Sen-



ate on its second reading and passage to engrossment:

S. J. R. No. 6, Proposing an amendment to Section 5 of Article VII of the constitution of the State of Texas so as to remove the authorization to transfer not exceeding one per cent annually of the total value of the permanent school fund to the available school fund.

The resolution was read second time and was passed to engrossment.

#### Senate Joint Resolution 6 on Third Reading

Senator Hardeman moved that Senate Rules 32 and 45 and the constitutional rule requiring resolutions to be read on three several days be suspended and that S. J. R. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word
Krueger	

#### Absent—Excused

Hall Herring

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote.

#### Yeas—29

Aikin	Dies
Bates	Hardeman
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moffett

Moore	Rogers
Owen	Schwartz
Parkhouse	Spears
Patman	Strong
Ratliff	Watson
Reagan	Word
Richter	

#### Absent—Excused

Hall Herring

#### Committee Substitute Senate Bill 6 on Second Reading

Senator Reagan moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and the C. S. S. B. No. 6 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word

#### Absent

Hazlewood

#### Absent—Excused

Hall Herring

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 6, A bill to be entitled: "An Act relating to the creation of Padre Island National Seashore, containing a reverter clause and declaring an emergency."

The bill was read second time.

Senator Reagan offered the following amendment to the bill:

Amend Section 1 of Committee Substitute for Senate Bill No. 6 by striking the comma between the words Kennedy and Willacy in line 22 and inserting in lieu thereof the

word "and"; and by striking the words "and Cameron" in line 22.

The amendment was adopted.

Senator Spears offered the following amendment to the bill:

Amend Committee substitute for Senate Bill 6 by striking the second sentence of Section 6 and substituting in lieu thereof the following:

"Any lands, spoilbanks, easements and rights-of-way owned, leased or otherwise controlled by the Willacy County Navigation District located within the Padre Island National Seashore, as defined in Section 1 of this Act shall be used solely for public purposes."

The amendment was adopted.

Senator Spears offered the following amendment to the bill:

Amend Committee substitute for S. B. 6 by adding in Second Paragraph of Section four (4) the phrase between the words "not be conveyed unless" and "the school land Board is first satisfied," the following:

"a majority of."

The amendment was read.

Senator Calhoun moved to table the amendment.

Question on the motion to table. Yeas and Nays were demanded.

The amendment was tabled by the following vote:

#### Yeas—16

Blanchard	Moffett
Calhoun	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Strong
Kazen	Watson
Krueger	Word

#### Nays—11

Aikin	Patman
Bates	Richter
Cole	Rogers
Hardeman	Schwartz
Harrington	Spears
Kennard	

#### Absent

Hazlewood	Moore
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#### Absent—Excused

Hall	Herring
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On motion of Senator Reagan and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Committee Substitute Senate Bill 6 on Third Reading

Senator Reagan moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moffett
Bates	Moore
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word

#### Absent

Hazlewood

#### Absent—Excused

Hall	Herring
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The President then laid the bill before the Senate on its third and final passage.

The bill was read third time and was passed by the following vote.

#### Yeas—27

Aikin	Harrington
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hardeman	Reagan

Richter	Strong
Rogers	Watson
Schwartz	Word
Spears	

Nays—1

Ratliff

Absent

Hazlewood

Absent—Excused

Hall

Herring

**Motion to Place  
Senate Bill 4 on Second Reading**

Senator Dies moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 4 be taken up for consideration at this time.

On motion of Senator Dies and by unanimous consent the motion to suspend the rules on S. B. No. 4 was temporarily withdrawn pending decision of a parliamentary question relative thereto.

**Senate Resolution 126**

Senator Schwartz offered the following resolution:

Whereas, We are honored today to have in the Senate Andrea Jeanne Rogers, daughter of Senator and Mrs. Andrew J. Rogers; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate, and be named as an honorary page of the Senate.

The resolution was read and was adopted.

**Senate Resolution 127**

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Robert Allen Schwartz of Galveston, son of Senator and Mrs. A. R. Schwartz; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and be hereby named Honorary Page of the Senate.

The resolution was read and was adopted.

**Welcome Resolutions**

S. R. No. 117—By Senator Moore: Extending welcome to Mrs. Robert Glenn (Bob) Robinson, et al.

S. R. No. 121—By Senator Strong: Extending welcome to Honorable R. G. Hensley, Superintendent of Schools from Spring Hill.

S. R. No. 122—By Senator Reagan: Extending welcome to Sister Stanislaus and students of the Civics Club of Incarnate Word of Corpus Christi.

S. R. No. 123 — By Senator Schwartz: Extending welcome to James Orr and John Meadows, teachers, and the Senior Class of Needville High School.

S. R. No. 124—By Senator Krueger: Extending welcome to teachers and students of the Junior and Senior Classes of East Bernard High School.

**Memorial Resolutions**

S. R. No. 125—By Senator Schwartz: —Memorial resolution for Mr. Salvador Joseph Parlagreco.

**Adjournment**

Senator Creighton moved that the Senate stand adjourned until 12:00 o'clock M. tomorrow.

Senator Moffett moved that the Senate stand adjourned until 2:00 o'clock p.m. tomorrow.

Question first on the motion by Senator Moffett to adjourn until 2:00 o'clock p.m. tomorrow. The motion prevailed.

Accordingly the Senate at 11:52 o'clock a.m. adjourned until 2:00 o'clock p.m. tomorrow.

**In Memory of**  
**Mrs. Estelle Devoti**

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Senator Krueger offered the following resolution:

(Senate Resolution 116)

Whereas, On March 14, 1962, God in His Infinite Wisdom, called Mrs. Estelle Devoti of Houston, Texas, to be with Him; and

Whereas, Her death has brought to a close more than a quarter of a century of devoted service to her family, her friends, and her community; and

Whereas, Mrs. Devoti was born in Galveston, Texas, on January 30, 1891, and attended Ball High School and shortly after graduation was married to Dr. J. J. Devoti, who had a medical practice in Galveston; and

Whereas, All her life, Mrs. Devoti had the greatest respect for education, which respect engendered forty years of service to the improvement of teaching in Texas public schools, having served as first woman member of the Board of Education for the Harrisburg Independent School District prior to the annexation by the City of Houston in 1930, which Board was instrumental in naming Milby High School; and

Whereas, The name of Mrs. Estelle Devoti is on the cornerstone of James E. Deady Junior High School at 2500 Broadway, Houston; and

Whereas, Mrs. Devoti was very active in the Parent-Teachers Association, having been one of the five honorary vice-presidents of the Texas Congress of Parents and Teachers, and instrumental in the building of the new state offices of the Parent-Teachers Association in Austin, whose cornerstone bears her name, and having worked with the Association until the illness which claimed her life; and

Whereas, In memory of her work, a contribution was made March 15, 1962, to the scholarship fund of the Houston City Council, Texas Branch, of the National Congress of Parents and Teachers, which scholarships will go to graduating seniors who are potential teachers; and

Whereas, Mrs. Devoti worked diligently in civic affairs, playing a part in the widening and dredging of the Houston Ship Channel which has proved of so much value to the great City of Houston; and

Whereas, She is survived by two sons, Jill Stephen Devoti and Jack Raymond Devoti, both of Houston; and granddaughters, Miss Sandra Lee Devoti, Mrs. Beverly Sue Taylor, Miss Nanette Marie Devoti; and grandsons, Michael Preston Taylor, Robert Stephen Taylor, all of Houston; now, therefore, be it

Resolved by the Senate of the State of Texas, That a page in the Journal be set aside in memory of Mrs. Estelle Devoti, that copies of this resolution be sent to the members of the family, and when the Senate adjourns today, it do so in honor of this outstanding and beloved citizen.

KRUEGER  
COLE

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

**In Memory of**  
**Sergeant Robert Glenn (Bob) Robinson**

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Senator Moore offered the following resolution:

(Senate Resolution 118)

Whereas, On December 23, 1962, while making an arrest in the line of official duty for the Police Department of the City of Corsicana, Texas, Sergeant Robert Glenn (Bob) Robinson was suddenly and without warning shot to death by a shotgun blast; and

Whereas, All citizens of Corsicana and Navarro County were shocked and saddened at this tragic and sordid pre-Christmas slaying of a truly distinguished and courageous law enforcement officer who was loved, respected and admired by his fellowmen as a loyal and patriotic citizen, a devoted husband and father, and a leader in his Church and community; and he will be missed and mourned by all who knew him; and

Whereas, The National Police Officers Association of America has presented its Medal of Merit for Valor to Sergeant Robinson in recognition of his great heroism, valor and meritorious service above and beyond the call of duty and has placed his name in the National Police Hall of Fame in honor of his supreme sacrifice and as a tribute to the loyalty and devotion of this officer; and

Whereas, Sergeant Robinson is survived by his wife and a daughter, Teresa, of Corsicana; and parents, Mr. and Mrs. George A. Robinson, Sr., of Clifton; and other relatives; and

Whereas, It is the desire of the Senate of the 58th Legislature of the State of Texas to pay tribute to the memory of this great man; now, therefore, be it

Resolved, That when the Senate adjourns today, it do so in memory of Police Sergeant Robert Glenn (Bob) Robinson and that a page in the permanent Journal of the Senate be set aside as a memorial to him; and be it further

Resolved, That copies of this resolution be sent to the widow and the daughter of Sergeant Robinson; and also to his parents, Mr. and Mrs. George A. Robinson.

**MOORE**

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Crump and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

**In Memory of**  
**Albert Stone**

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Senator Krueger offered the following resolution:

(Senate Resolution 119)

Whereas, On July 29, 1962, God in His Infinite Wisdom called Albert Stone of Brenham, Texas, to be with Him; and

Whereas, Albert Stone was born on October 17, 1886, the son of the late Heber Stone and Mary Louise Giddings Stone; and

Whereas, He was educated in a private boys' school in Brenham and received his law degree from The University of Texas; and

Whereas, On April 23, 1913 he married Miss Hattie Parks, member of a pioneer Brenham family; and

Whereas, Albert Stone served with distinction as a Member of the Senate of The State of Texas and was one of Brenham's most distinguished native sons; and

Whereas, Albert Stone served as Washington County Attorney prior to his election to the Texas Senate in 1933; and

Whereas, He was noted for his leadership in the Senate, having served as Chairman of the Senate Finance Committee and as author of legislation creating the Brazos River Authority; and

Whereas, Senator Albert Stone was one of the oldest members of the Brenham Lions Club in years of service and served as President of the organization in 1942-43 and was a member of the Methodist Church, the Brenham Golf Association, and a former member of the Brenham Elks Club; and

Whereas, Albert Stone is survived by his widow; one son, Albert Stone, Jr.; a daughter, Mrs. Charles W. Rankin, Jr.; three grandchildren, Robert, William John and Ruth Rankin; and one sister, Miss Louise Stone, all of Brenham; and

Whereas, It is the desire of the Senate of The State of Texas to express its sincere sympathy to the surviving members of his family; now, therefore, be it

Resolved by the Senate of The State of Texas, That a page be set aside in the Journal in memory of The Honorable Albert Stone, that copies of this resolution be sent to the surviving members of his family, and that when the Senate adjourns today, it do so in memory of our distinguished and beloved former colleague.

**KRUEGER**  
**MOORE**

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Kazen, Kennard, Moffett, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Moore and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

## In Memory of Herman and Margaret Root Brown

Senator Cole offered the following resolution:

(Senate Resolution 120)

Whereas, America has a favorite colloquialism too frequently lavished on the undeserving. It is the word "tycoon." It means Herman Brown, who belonged to no city, but to the great State of Texas; and

Whereas, Herman Brown is dead and he would be impatient with those who stop to mourn. It is more appropriate that we, here, should recognize that the enormous energy he unleashed upon the economy of this State will, by its very force, continue unabated. Bridges will sprout, highways will multiply, dams will be sculptured from mountains, industrial plants will stand tall on the horizon because of Herman Brown and they will be his enduring monuments; and

Whereas, At the same time the State must sadly take leave of the great lady who stood by his side during his eventful life, who complemented his own endeavors with contributions to the cultural life of Texas. The death of Margaret Root Brown on January 25, 1962, at Houston, followed two months and ten days the heart occlusion that took the life of her husband in November, 1962; and

Whereas, Mrs. Brown's philanthropies helped to support symphony orchestras, art galleries, ballet and other arts. Southwestern University, at Georgetown, Texas, where she had been a student as a girl, bears evidence of her beneficence; and

Whereas, While her great husband supported Mrs. Brown's participation in the cultural life, he himself spared little time away from his obsession, and building was that obsession; and

Whereas, Herman Brown's career was an epic to free enterprise. Characteristically, he failed to understand anyone who lacked self-confidence. To him there was no such thing as a job too big. Anything was possible; and

Whereas, Herman Brown started to build roads with the help of two mortgaged mules and some wagons, given him in lieu of a paycheck. His business grew along with the highways. In the prelude to World War II, as though touched by magic of the sorcerer's apprentice, it became gigantic. Military bases were built, and then, overnight, Brown and Root turned into one of the nation's largest shipbuilding concerns. More than 350 ships were launched by 25,000 employees and billions of dollars changed hands; and

Whereas, In the twenty years since that time the construction company has left the imprint of Twentieth Century man across the face of the earth. In Europe, Asia, South America, Canada, the desert, the ocean and polar reaches vast changes have taken place because this giant came out of Texas. Great dams, highways, tunnels, canals, pipelines and plants now serve mankind where none served before; and

Whereas, It is unfortunate that Herman Brown did not live long enough to see completed what promises to be the company's "moon shot." Science handed him the assignment Project Mohole, to drill beneath the sea, through the earth's outer crust, and into the unknown inner mass of the planet; and

Whereas, This was a whole man, masculine to the core. He had a zest for hunting and football and for politics. He was aware, too, of human yearning. He gave financial support to education and hospitals; now, therefore, be it

Resolved, That the Senate of the Fifty-eighth Legislature, stands in profound admiration and pride before the amazing life of a master builder, a giant who made the earth shrink, Herman Brown, and that it takes reluctant leave of him and of his great lady, Margaret Root Brown; and be it further

Resolved, That copies of this resolution be sent to mourning members of the family; and, be it further

Resolved, That when the Senate adjourns this day it do so in memory of Herman and Margaret Root Brown.

The resolution was read and was adopted by a rising vote of the Senate.